

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMIDA CAPITAL MANAGEMENT II, LLC, : Civil Action No. 08-CV-5516
Plaintiff, : NOTICE OF MOTION AND MOTION TO
: ADMIT COUNSEL *PRO HAC VICE*
vs. :
CERBERUS CAPITAL MANAGEMENT, :
L.P., :
Defendant. :

JUN 25 2008

925-655217

PLEASE TAKE NOTICE upon the annexed Declaration of David A. Rosenfeld in Support of the Motion to Admit Counsel *Pro Hac Vice*, executed this 23rd day of June 2008, and the Certificate of Good Standing attached thereto, plaintiff Amida Capital Management II, LLC moves this Court, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Cullin A. O'Brien, a member of the Bar of the State of Florida, and an associate at the law firm Coughlin Stoia Geller Rudman & Robbins LLP, be admitted *pro hac vice* for all purposes on behalf of plaintiff in this action.

DATED: June 23, 2008

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
DAVID A. ROSENFELD



DAVID A. ROSENFELD

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMIDA CAPITAL MANAGEMENT II, LLC, : x Civil Action No. 08-CV-5516
Plaintiff, : DECLARATION OF DAVID A.
vs. : ROSENFELD IN SUPPORT OF THE
Defendant. : MOTION TO ADMIT COUNSEL *PRO HAC
VICE*
CERBERUS CAPITAL MANAGEMENT, :
L.P., :
:

I, David A. Rosenfeld, declare as follows:

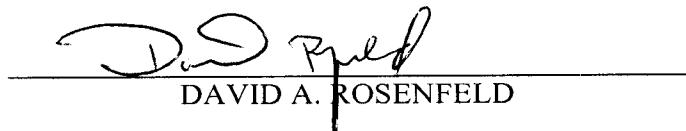
1. I am a member in good standing of the bar of this Court and a member of Coughlin Stoia Geller Rudman & Robbins LLP. I make this declaration in support of plaintiff Amida Capital Management II, LLC's Motion to Admit Counsel *Pro Hac Vice*, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, requesting that Cullin A. O'Brien be admitted *pro hac vice* for all purposes on behalf of plaintiff in this action.

2. Cullin A. O'Brien is fully familiar with this action, is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

3. Cullin A. O'Brien is an attorney in good standing of the Bar of the State of Florida, as evidenced by the annexed certificate of good standing.

4. I respectfully request that plaintiff's motion be granted in all respects. A proposed order is enclosed herewith.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23rd day of June 2008 at Melville, New York.


DAVID A. ROSENFELD

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMIDA CAPITAL MANAGEMENT II, LLC, : Civil Action No. 08-CV-5516
Plaintiff, : [PROPOSED] ORDER GRANTING
vs. : MOTION FOR ADMISSION *PRO HAC
VICE*
CERBERUS CAPITAL MANAGEMENT, :
L.P., :
Defendant. :
X

Upon the motion of plaintiff Amida Capital Management II, LLC, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, for an order admitting Cullin A. O'Brien *pro hac vice* for all purposes on behalf of plaintiff in this action, and for good cause shown,

IT IS HEREBY ORDERED that the motion is GRANTED in all respects, subject to payment of the requisite fees.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE MIRIAM GOLDMAN CEDARBAUM
UNITED STATES DISTRICT JUDGE



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

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State of Florida)

County of Leon)

In Re: 597341
Cullin Avram O'Brien
Coughlin Soia Geller Rudman and Robbins, LLP
120 E. Palmetto Park Rd., Ste. 500
Boca Raton, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on October 3, 2002.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 13th day of June, 2008.

A handwritten signature in black ink that reads "Willie Mae Shepherd".

Willie Mae Shepherd
Supervisor, Membership Records
The Florida Bar

CERTIFICATE OF SERVICE

I, Kelly Stadelmann, hereby certify that on June 23, 2008, I caused a true and correct copy of the attached:

Notice Of Motion And Motion To Admit Counsel *Pro Hac Vice*;

Declaration Of David A. Rosenfeld In Support Of The Motion To Admit Counsel Pro Hac Vice; and

[Proposed] Order Granting Motion For Admission *Pro Hac Vice*

to be served by first-class mail to:

CERBERUS CAPITAL MANAGEMENT, L.P.
299 Park Avenue
New York, NY 10171


Kelly A. Stadelmann